

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 657 OF 2006

Mr. Ramaram Valji Kumhar
@ Ramlal Prjapati

...Applicant.

v/s

The State of Maharashtra
DCB CID Unit No.1,Mumbai.

...Respondent.

Mr. Sandeep Kenkare for the applicant.
Ms. S.D. Shinde, APP for the State.

CORAM: V.M. KANADE, J.
DATE: 21st March, 2006

P.C.:

1. Heard the learned Counsel appearing on behalf of
the applicant and the learned APP for the State.

2. The applicant was arrested in connection with C.R.
No. 233 of 2005 registered with J.J. Marg Police
Station for the offence punishable under section 395,
397 of the Indian Penal Code read with sections 3, 25
of the Indian Arms Act.

3. It is alleged that the applicant had given
information that one of the couriers was carrying huge
amount of cash and pursuant to the said information,
the said robbery was committed by the other accused.

4. It is submitted by the learned Counsel appearing on behalf of the applicant that the only evidence against the applicant is in the form of two statements and in one of those statements which is of Mr. Pravin P. Chavan, it is stated that the robbery was planned after the information was given by the applicant and the other statement is of the owner of the said courier company who has stated that he has learnt that the applicant was arrested. There is no recovery at the instance of the present applicant.

5. The learned APP was directed to verify the permanent residential address of the applicant since he is a resident of Rajasthan. The learned APP on instructions from Investigating Officer, stated that the address of the applicant has been verified and it is found that he is a resident of village Revdar, District Sorahi, Rajasthan and has produced certificate issued by the Gram Panchayat - Dak which is taken on record.

6. Since the charge-sheet has been filed and since there is no recovery at the instance of the applicant, in my view, this is a fit case for grant of bail. The applicant be released on bail in the sum of Rs 5000/-

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with one or two sureties in the like amount. The
applicant shall report to DCB CID Unit No.1 once in a
month.

7. Application is disposed of.

V.M. KANADE, J.